

Approved. 1/16/02

#50160

AGREEMENT

THIS AGREEMENT ("Agreement") is made by Chop Sticks, Inc., a District of Columbia corporation, t/a Chop Sticks (the "Applicant") with Advisory Neighborhood Commission 2E ("the ANC") and the Citizens Association of Georgetown ("CAG").

WHEREAS, on October 31, 2001, Applicant filed with the District of Columbia Alcoholic Beverage Control Board (the "Board") an application for the transfer of a Retailer's license, Class CR ("the Application") to be used for that certain restaurant to be known as Chop Sticks, located at 1073 Wisconsin Avenue, N.W. ("Premises");

WHEREAS, the ANC represents the residents and taxpayers within the boundaries of ANC2E and wishes to insure that no establishment that sells alcoholic beverages will adversely affect the health, safety, and quality of life in the surrounding community; and

WHEREAS, CAG is a membership organization representing the interests of the residents of Georgetown; and

WHEREAS, the Applicant is seeking written approval from the ANC of the Application; and

WHEREAS, in order to secure the ANC's written approval, Applicant has agreed to enter into this voluntary Agreement commemorating certain understandings regarding the Applicant's operational plans;

NOW THEREFORE, in consideration of the agreements set forth herein, the parties hereto mutually agree as follows:

1. Occupancy and safety. The establishment shall have a maximum capacity of 67 persons. This limit shall be prominently posted and shall not be exceeded. The Applicant shall ensure that a clear passageway is maintained at all times for the safe egress of occupants in case of fire or other emergency.
2. Hours of Operation. The hours of operation shall be 11:00 a.m.-10:00 p.m. Monday through Friday, 9:00 a.m.-11:00 p.m. Saturday, and 11:00 a.m.-11:00 p.m. Sunday. The foregoing notwithstanding, the Applicant reserves the right to change its hours of operation as may be prudent in the Applicant's reasonable business judgement; however, no extension of opening or closing hours shall be made without at least thirty (30) days prior written notice to the ANC. No extension in closing hours shall be made without review by the ANC and the ABC Board under the established procedures for a substantial change in operation.
3. Entertainment. There shall be no live entertainment or outdoor music. The Applicant may offer soft background recorded music conducive to a pleasant dining experience inside the Premises.
4. Trash removal. The Applicant shall not permit trash, garbage, or litter to be placed outside the premises in unprotected bags, cans, or containers and shall insure that all legal refuse containers are emptied by a professional garbage truck service at least twice a week. The Applicant shall ensure that no part of the premises harbors rats or other vermin, and shall notify the ANC if any such harborage in neighboring properties is affecting the Applicant's operations.

5. Sanitation. In accordance with DCMR Title 23 (Food Regulations) Section 2206, all food waste (garbage) shall be disposed of via a food waste (garbage) grinder. Those items of garbage that cannot be readily ground, such as bones, shall be disposed of in a metal container with a tightly fitting lid. The property and adjacent alley shall be cleaned daily to ensure that no food for rodents is available.

6. Advertising. The Applicant shall not place advertising signs on public space, except for signs that have received the required approvals by the Commission of Fine Arts, the Department of Consumer and Regulatory Affairs, or other appropriate agency.

7. The parties agree that the above provisions are conditions of the license and any failure of Applicant to adhere to the foregoing commitments would constitute grounds for the ANC or CAG to petition the ABC Board for issuance of an order to show cause pursuant to 23 D.C.M.R. §1513.5. Prior to so petitioning, however, the petitioner shall notify the Applicant in writing by first class mail of any perceived violations and afford the Applicant at least seven (7) calendar days in which to address or rectify the perceived violation.

8. In consideration of, and in reliance upon, the foregoing agreements made by the Applicant, the ANC agrees that it shall provide Applicant with its written approval of the Application at its next scheduled meeting which shall occur on January 8, 2002. This Agreement shall become effective only upon the execution of both parties hereof and the delivery to the Applicant of the aforesaid written approval.

9. This written agreement constitutes the only agreement between the parties, superceding any prior agreement that may affect the license, and may be modified only by the written agreement of both parties.

IN WITNESS THEREOF, the parties have affixed hereunto their hands and seals on the year and the day indicated below their signature.

Executed this 8th day of January, 2001.

APPLICANT

Chop Sticks, Inc t/a Chop Sticks

By: Jae Hyung Lee
Jae Hyung Lee
President

ADVISORY NEIGHBORHOOD COMMISSION 2E

BY: Peter Pulsifer
Peter Pulsifer, Chairman

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CITIZENS ASSOCIATION OF GEORGETOWN

BY: Karen Tammany Cruse
Karen Tammany Cruse, Acting Chair, ABC Committee

**BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:

Chop Sticks, Inc.
t/a Chop Sticks

Application for a Retailer's Class
CR License – Transfer
at premises
1073 Wisconsin Avenue, N.W.
Washington, D.C.

Application No. 50160
2002-61

Peter Pulsifer, Chairman on behalf of the Advisory Neighborhood Commission 2E

Jae Hyung Lee, President on behalf of Chop Sticks, Inc.

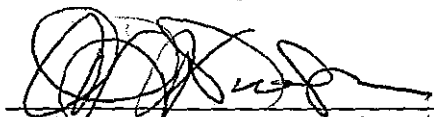
BEFORE: Roderic L. Woodson, Esquire, Chair
Vera Abbott, Member
Charles Burger, Member
Laurie Collins, Member
Judy A. Moy, Member
Ellen Oppen-Weiner, Esquire, Member
Audrey E. Thompson, Member

ORDER ON VOLUNTARY AGREEMENT

This matter came before the Board for approval on January 16, 2002. The signatories to the attached voluntary agreement dated January 8, 2002, submitted the agreement to the Board in accordance with 23 DCMR Section 1513 (June 1997).

Having determined that the agreement complies with all applicable laws and regulations and the applicant qualifies for licensure, the Board does hereby this 17th day of MARCH 2002, **APPROVE** the license application conditioned on the applicant's compliance with the terms of the voluntary agreement and **INCORPORATE** the text of the same into the Order.


District of Columbia
Alcoholic Beverage Control Board



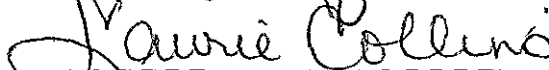
Roderic L. Woodson, Esquire, Chair



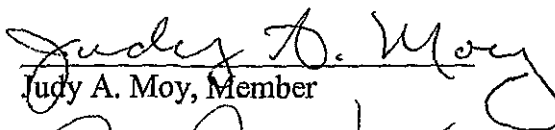
Vera Abbott, Member



Charles Burger, Member



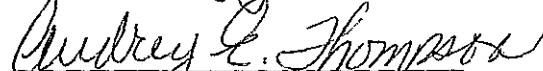
Laurie Collins, Member



Judy A. Moy, Member



Ellen Opper-Weiner, Esquire, Member



Audrey E. Thompson, Member